

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KSENIA BOITSOVA,

Plaintiff,

VS

MICHAEL CHERTOFF, Secretary
of Homeland Security;
EMILIO GONZALEZ, Director,
Bureau of Citizenship
and Immigration Services;
EVELYN UPCHURCH, Director
Nebraska Service Center,
U.S. Citizenship and Immigration
Services,

Defendants.

Case No. 4:06CV3015

MEMORANDUM AND ORDER

The government has moved to dismiss (presumably with prejudice) because defendants assert that the plaintiff has been accorded all the relief she seeks. The plaintiff moves to dismiss without prejudice asserting that she has not yet been given all the relief she seeks. Under the circumstances,

IT IS ORDERED that the plaintiff's motion to dismiss without prejudice (filing 11) is granted and the defendants' motion to dismiss (filing 9) is denied. A separate judgment will be entered. Each party shall bear their own costs.

June 6, 2006.

BY THE COURT:

s/ *Richard G. Kopf*
United States District Judge